

1 **TESSER | GROSSMAN LLP**
2 11990 San Vicente Boulevard, Suite 300
3 Los Angeles, California 90049
4 Telephone: (310) 207-4558
5 BRANDON M. TESSER (SBN 168476)
6 brandon@tessergrossman.com
7 Attorneys for Plaintiff
8 ELOHIM EPF USA, INC.

8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF NEW YORK**

10 ELOHIM EPF USA, INC., a California
11 Corporation,

12 Plaintiff,

13 vs.

14 162 D & Y CORP., a New York corporation
15 d/b/a FLOWER KARAOKE, *et al.*

16 Defendants.

) Case No.: 1:19-cv-02431-AJN

) **REQUEST FOR JUDICIAL NOTICE**

) Date: July 14, 2023

) Time: 10:00 a.m.

) Dept.: 11D

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20 **REQUEST FOR JUDICIAL NOTICE**

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22 In accordance with Federal Rule of Evidence 201, Elohim EPF USA, Inc.
23 (“Elohim”) respectfully requests that this Court, in consideration of Elohim’s Trial
24 Brief, take judicial notice of the information contained in the exhibits attached hereto.

25 **Exhibit 1:** A true copy of the October 1, 2015 Order re Concurrent Motions
26 for Summary Judgment in *Elohim EPF USA, Inc. v. Total Music Connection, Inc.*
27 Case No. 2:14-CV-2496 BRO (Ex) by Judge Beverly Reid O’Connell in the United
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1 States District Court for the Central District of California.

2 **Exhibit 2:** A true copy of the February 8, 2018 Order re Concurrent Motions
3 for Summary Judgment in *Beom Su Lee v. eBay et al.* Case No. 2:17-CV-05179-
4 SVW-E by Judge Stephen V. Wilson in the United States District Court for the Central
5 District of California.


6 **Exhibit 3:** A true copy of the June 15, 2023 Order Granting Plaintiff's
7 Motion for Partial Summary Judgment in *Elohim EPF USA, Inc. v. 600 N. Vermont*
8 *Inc., et al* Case No. CV 22-7516-MWF (KSx) by Judge Michael W. Fitzgerald in the
9 United States District Court for the Central District of California.

10 Courts may take judicial notice of a document filed in another court. *Global*
11 *Network Communications, Inc. v. City of New York*, 458 F.3d 150, 157 (2d Cir. 2006);
12 *Citing Int'l Star Class Yacht Racing Ass'n v. Tommy Hilfiger U.S.A., Inc.*, 146 F.3d
13 66, 70 (2d Cir. 1998).

14 For the foregoing reasons, Elohim respectfully requests that the Court take
15 judicial notice of Exhibits "1," "2," and "3" attached hereto.

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17 DATED: June 23, 2023

TESSER | GROSSMAN LLP

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19 By: 
20 BRANDON M. TESSER
21 ROBERT PAREDES
22 Attorneys for Plaintiff
23 ELOHIM EPF USA, INC.
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